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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/349,020	07/07/1999	YEHUDA BINDER	BINDER=4	6128
1444	7590	02/10/2005	EXAMINER	
BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303			HOLLOWAY III, EDWIN C	
			ART UNIT	PAPER NUMBER
			2635	

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/349,020

Applicant(s)

BINDER, YEHUDA

Examiner

Edwin C. Holloway, III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-23, 25, 26 and 28-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-23, 25-26 and 28-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Examiner's Response

1. In response to applicant's amendment filed 10-12-2004, all the amendments to the specification and claims have been entered. The examiner has considered the new presentation of claims and applicant's arguments in view of the disclosure and the present state of the prior art. And it is the examiner's opinion that the claims are unpatentable for the reasons set forth in this Office action:

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 18-21, 25-28 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blatter (WO 96/379893) in combination with Gotz (US 5144305). Regarding claim 18, Blatter discloses a network three nodes B/C/D in fig. 1 and at least two links 5L/5R in fig. 2. Each link has two conductors 7/9 in fig. 2. The links each connect two nodes in fig. 1 and communicate bidirectionally with repeating in one direction at a time in page 3 line 13 corresponding to half duplex. A payload such as a TV/VCR/CD is included in page 2 line 34. Node B in a data generating mode is discussed in page 3 lines 15-22. Node C in a repeat mode is discussed in page 3 line 23- page 4 line 3. Node C repeats to the right in fig. 6 and repeats to the left in fig. 7. Regarding claim 19, node D in receiving mode is

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included in page 4 lines 4-13 shown in fig. 6. Regarding claim 20, linear topology is shown in fig. 1. Regarding claim 21, a ring or circular topology is discussed in page 11 line 13.

Regarding claim 25, the control 90 function as network controller to select the mode of the node via signals on the network in pages 1-5. Regarding claim 26, two nodes sequentially selecting generating mode is included in page 5 lines 15-22 transfer to only a single line coupler 10 is provided in fig. 2. Regarding claim 28, repeater control to repeat in a selected direction is included in page 3 line 23- page 4 line 3. Regarding claim 34, the communication links 5, each connect only two nodes and consist of only a pair of conductors (7,9) in page 1 line 29 - page 2 line 11. Blatter differs from the claims by not expressly stating that the pass or transfer mode is a repeating mode.

Gotz discloses repeater with serial/parallel decoding of signals arriving data stream and parallel to serial serialization of repeated signals in the same manner as the node of Blatter. See fig. 3 and col. 3 lines 24-68.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have to have called the pass or transfer mode of Blatter a repeating mode in view of Gotz teaching a repeater with serial to parallel and parallel to

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serial conversion of signals.

4. Claim 22-23, 29-31 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blatter (WO 96/379893) and Gotz (US 5144305) as applied above and further in view of Markkula (US 4918690).

Markkula discloses a network and cell or node 20 with a power supply 30 and coupler (capacitor/transformer) in fig. 2. The network carries data and power on the links. The couplers provide isolation between the data transmit and receive circuits and the power on the link. Regarding claims 22-23, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included in Blatter a power supply in the node receiving power over the network as disclosed in Markkula in order to power the nodes without adding links. Regarding the limitation of "without format change," Blatter discloses in col. 3 line 25 that the data is unchanged. The decoding and parallel to serial conversion of Blatter is physical level handling as suggest by Gotz and is consistent with applicant's repeater having decoding in page 9 line 26 of applicant's specification. Regarding claims 29-31 it further would have been obvious to have included couplers as disclosed in Markkula to isolate the data transmit/receive circuit from power on the links.

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5. Claim 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blatter (WO 96/379893) and Gotz (US 5144305) in combination with Markkula (US 4918690) as applied above and further in view of Abe (US 6075438). The nodes of the Blatter include payload such as the terminal equipment, but does not specify a payload interface. Abe discloses a network with interface 14/24/34 connecting payloads to nodes in fig. 1 and col. 4. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included in the combination applied above the payload interface of Abe in order to connected the devices or payloads to the node.

Response to Arguments

6. Applicant's arguments with respect to claims 18-23, 25-26 and 28-35 have been considered but are moot in view of the new ground(s) of rejection. Blatter was previously applied and have been reasserted in response to applicant's arguments that repeating is directed to physical layer handling. The decoding and serialization of Blatter is physical layer handling to provide regeneration and clock reconstruction as indicated by the lack of format change or any change of data on page 3 line 25 of Blatter. Gotz is applied to teach or define a "repeater" to include serial to parallel and parallel to serial conversion. The 112 rejection is withdrawn because the decoding in page 9

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line 26 of applicant's disclosure is considered to be without format change to the extent that this decoding is physical layer decoding in the same manner that the decoding in Blatter and serial to parallel to serial conversion of Gotz is physical layer handling. Since there is no exclusion of serial to parallel to serial conversion in applicant's specification or in the repeater definition provided by applicant, this conversion is considered to be physical layer handling without format change. The rejections relying on Binder, Ampulski and Pesetski have been withdrawn in view of applicant's arguments and amendments.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

CONTACT INFORMATION


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact an Electronic Business Center (EBC) representatives at 703-305-3028 or toll free at 866-217-9197 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at ebc@uspto.gov. The Patent EBC is a complete customer service center that supports all Patent e-business products and service applications. Additional information is available on the Patent EBC Web site at <http://www.uspto.gov/ebc/index.html>.

Any inquiry of a general nature should be directed to the Technology Center 2600 receptionist at (571) 272-2600.

Facsimile submissions may be sent via fax number (703) 872-9306 to customer service for entry by technical support staff. Questions regarding fax submissions should be directed to customer service voice line (703) 306-0377.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin C. Holloway, III whose telephone number is (571) 272-3058. The examiner can normally be reached on M-F (8:30-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (571) 272-3068.

EH
2/6/05


EDWIN C. HOLLOWAY, III
PRIMARY EXAMINER
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